

OPEN MEETING AGENDA ITEM

Filed by: Stacey Champion

March 9, 2021

Regarding: Arizona Corporation Commission (RU-00000A-19-0132) – In the matter of Proposed Modifications to the Rules Regarding Termination of Service

Commissioners,

I discovered this past Friday, March 5, that ACC Staff has been coordinating one on one and group “stakeholder” meetings tied to the termination rules. I was telling this Commission people were dying long before the news of Stephanie Pullman’s death broke because I have tracked the heat deaths for years and have read countless indoor heat death coroner reports. I discovered ACC Utilities Division Staff removed shut off data from the annual utility report template. I worked on the legislative utility disconnect bill. I insisted public health and science experts be brought to the table and provided a list of these experts in the docket, as well as got media attention on the matter when it wasn’t happening. I have also filed plenty into this docket.

So, imagine my surprise and dismay to learn that backroom meetings have been taking place that omit concerned “stakeholders” such as myself, as well as public health experts, scientists who study heat illness/deaths and medical professionals in general. In fact, these backroom meetings are largely comprised of most of the same individuals who took part in the backroom meetings not long after I filed my formal complaint in January 2018.

Here is the list of who was invited to the meeting last Friday:

-----Original Appointment-----

From: Jackie Neese <JNeese@azcc.gov>

Sent: Friday, February 26, 2021 5:06 PM

To: Jackie Neese; Elijah Abinah; Ranelle Paladino; Candrea Allen; Maureen Scott; Bridget Humphrey; Pamela Genung; Barbara

Keene; KKansfield@tep.com; cswick@wildfireaz.org; jennifer.cranston@gknet.com; Amanda.Ho@aps.com; dbrown@arizonapirg.org; Coffman, John (TMP); Jennings, Steve

Cc: Monica Martinez; Karyn Christine; Crystal Stewart

Subject: Rulemaking (19-0132)

When: Friday, March 5, 2021 2:00 PM-4:00 PM (UTC-07:00) Arizona.

Where: Microsoft Teams Meeting; Util-Conf-DO

Here is some concerning correspondence that was sent regarding the above meeting:

From: Cranston, Jennifer A. <jennifer.cranston@gknet.com>

Sent: Tuesday, March 9, 2021 12:53 PM

To: Candrea Allen <CAllen@azcc.gov>

Cc: KKansfield@tep.com; Cynthia Zwick <czwick@wildfireaz.org>; Amanda.Ho@aps.com; Coffman, John (TMP) <jcoffman@aarp.org>; Jennings, Steve <SJennings@aarp.org>; DRicherson@tep.com; Monica.Whiting@aps.com; AGroff@tep.com; Katie.Richards@aps.com; Bonnie.Medler@tep.com; Brad Carroll <bcarroll@tep.com>; Elijah Abinah <EAbinah@azcc.gov>; Ranelle Paladino <RPaladino@azcc.gov>; Briton Baxter <BBaxter@azcc.gov>; Barbara Keene <bkeene@azcc.gov>; Pamela Genung <PGenung@azcc.gov>; Bridget Humphrey <BHumphrey@azcc.gov>; Maureen Scott <mscott@azcc.gov>; dbrown@arizonapirg.org; Jorge Canaca <JCanaca@gcseca.coop> <JCanaca@gcseca.coop>

Subject: RE: Staff's Revised Draft Termination of Service Rules (Docket No. 19-0132)

And, consistent with other provisions in Decision No. 77849, GCSECA would request that any such requirements be limited to apply to the large, investor-owned utilities, not the cooperatives.

Gallagher&Kennedy

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Jennifer A. Cranston

[Attorney Profile](#)

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602-530-8191

From: Diane Brown <dbrown@arizonapirg.org>

Sent: Tuesday, March 09, 2021 12:32 PM

To: Candrea Allen <CAllen@azcc.gov>

Cc: KKansfield@tep.com; Cynthia Zwick <czwick@wildfireaz.org>; Cranston, Jennifer A. <jennifer.cranston@gknet.com>; Amanda.Ho@aps.com; Coffman, John (TMP) <jcoffman@aarp.org>; Jennings, Steve <SJennings@aarp.org>; DRicherson@tep.com; Monica.Whiting@aps.com; AGroff@tep.com; Katie.Richards@aps.com; Bonnie.Medler@tep.com; Brad Carroll <bcarroll@tep.com>; Elijah Abinah <EAbinah@azcc.gov>; Ranelle Paladino <RPaladino@azcc.gov>; Briton Baxter <BBaxter@azcc.gov>; Barbara Keene <bkeene@azcc.gov>; Pamela Genung <PGenung@azcc.gov>; Bridget Humphrey <BHumphrey@azcc.gov>; Maureen Scott <mscott@azcc.gov>

Subject: Re: Staff's Revised Draft Termination of Service Rules (Docket No. 19-0132)

Appreciate the good conversation on Friday. Apologies for the delay in sending out this follow-up.

As mentioned on the call, the Arizona PIRG Education Fund strongly recommends ensuring additional consumer education and outreach components are listed, as well as including specific reporting measures and a narrative, to the disconnection rule, along the lines of the disconnect policy adopted by the Commission in December 2020 (see pages 8 (20 g) and 9 (20 i)):

<https://docket.images.azcc.gov/0000202745.pdf?i=1615317291076>

Any questions, please feel free to give me a call at (602)318-2779 (c).

Sincerely,

db

Diane E. Brown, Executive Director
Arizona PIRG (Arizona Public Interest Research Group) Education Fund
835 W. Warner Rd., Suite 101-464 -- *Please note new address*
Gilbert, AZ 85233
[\(602\)252-9227](tel:(602)252-9227) (o)
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On Wed, Mar 3, 2021 at 11:31 AM Candrea Allen <CAllen@azcc.gov> wrote:

All,

Attached is Staff's revised draft of the termination of service rules that will be discussed during the call on Friday. This draft is updated from the draft that was docketed on November 23, 2020. Please let me know if you have any questions. Thank you.

Candrea Allen

Executive Consultant-Utilities Division

Arizona Corporation Commission

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As you can see from the above correspondence, your ACC Staff shared an updated draft with the people on that email thread, yet failed to file their latest draft into the docket. This is absolutely unacceptable.

Yesterday, March 8th, I submitted the following public records request to Maureen Scott:

Pursuant to Arizona Public Records laws, I am seeking the following information:

1. How many meetings have been held with regard to RU-00000A-19-0132 that were not publicly noticed and/or public facing? Please include all one on one and group meetings as well as who was invited and who attended.
2. Were any of the Commissioners or their staff made aware of these meetings? If so, who and when?
3. How was your attendee list compiled and who made the decision as to who would be invited to the meetings?
4. Why were no public health experts, scientists or medical professionals invited to participate in your meeting this past Friday and how exactly has ACC Staff engaged with these experts to date?
5. Was the Friday, March 5th meeting (or any previous meeting) recorded, and if not, why not?
6. Please provide all internal and external correspondence between any/all ACC Staff, Commissioners, utilities, paid consultants/lobbyists, RUCO, and/or all other organizations/"stakeholders" with regard to the disconnection rules from the time the RU-00000A-19-0132 docket was opened until this records request is fulfilled. "Correspondence" includes: all emails including all attachments, calendar entries, text messages (incl. personal phones if used for this purpose) and all social media platforms as well as messaging apps. Please omit already public facing information.

I understand #6 above will take some time, but expect my 1 - 5 questions to be answered in a prompt timeframe, especially as this item is currently on the March 23 OM agenda.

As this item is listed on the March 23, 2021 OM agenda, I would ask that given ACC Staff's latest shenanigans, that this agenda item be pulled from the agenda, that you ensure my 1-5 questions are answered promptly, that you as Commissioners find out exactly how many one on one AND group meetings have been held -- and not bring this agenda item back until an equal number of PUBLIC-FACING and properly noticed meetings are held that also include input from heat illness/death scientists, public health and medical experts, as well as ALL concerned stakeholders.

To do anything less is just another blatant example of the large utilities ruling this Commission along with your out-of-control Utilities Division Staff, especially Utilities Division Director Elijah Abinah, who continues to apparently think he's the one ruling the roost and is completely disregarding your purview to PROTECT PUBLIC HEALTH.

This is disgraceful. And I will also remind this Commission that Diane Brown and Cynthia Zwick are **not** public health experts. The main goal of this rule is to keep people **ALIVE**.

I will be filing more information into this docket with additional research and thoughts in the coming days, but believe the above needed to be immediately addressed.